

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
filed in the U.S. District Court **USDC - SDFL** on the following

☒ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 11-60913-CV-JEM	DATE FILED 4/28/2011	U.S. DISTRICT COURT USDC - SDFL
PLAINTIFF Abercrombie & Fitch Trading Co.		DEFENDANT Wu Zhiyong, et al.,
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 <i>See attached</i>		
2 <i>Pgs 4-5</i>		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 <i>See Attached DE [1]</i>		
2		
3		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Steven M. Larimore	(BY) DEPUTY CLERK s/ Rosy Avel	DATE 4/29/2011
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy


6 #5


8. Defendants have registered, established or purchased, and maintained the Subject Domain Names. Upon information and belief, Defendants have engaged in fraudulent conduct with respect to the registration of the Subject Domain Names by providing false and/or misleading information to their various Registrars during the Registration process.

9. Defendants' Subject Domain Names and any other domain names used in connection with the sale of counterfeits bearing Abercrombie's trademarks are essential components of Defendants' counterfeiting and infringing activities. The Subject Domain Names themselves are the means by which Defendants further their counterfeiting scheme and cause harm to Abercrombie. Moreover, Defendants are using Abercrombie's famous name and trademarks to drive Internet consumer traffic to their websites operating under the Subject Domain Names, thereby creating and increasing the value of the Subject Domain Names at Abercrombie's expense.

COMMON FACTUAL ALLEGATIONS

10. Abercrombie is and at all times relevant hereto has been, the owner of all rights in and to the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office:

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
ABERCROMBIE & FITCH	0,951,410	January 23, 1973
abercrombie	2,305,464	January 4, 2000
ABERCROMBIE & FITCH	2,500,146	October 23, 2001
AF	2,503,382	November 6, 2001
A & F	2,530,664	January 15, 2002
	3,212,644	February 27, 2007

A & F 92	3,221,986	March 27, 2007
ABERCROMBIE & FITCH 92	3,221,989	March 27, 2007
HCO 1922	3,236,469	May 1, 2007
HOLLISTER 22	3,244,165	May 22, 2007
FITCH	3,304,999	October 2, 2007
HOLLISTER	3,310,650	October 16, 2007
A & F	3,349,895	December 4, 2007
ABERCROMBIE NEW YORK	3,374,463	January 22, 2008
ABERCROMBIE & FITCH NEW YORK	3,348,431	May 27, 2008
HCO	3,529,071	November 4, 2008
A&F NEW YORK	3,624,670	May 19, 2009
 HOLLISTER CALIFORNIA	3,815,111	July 6, 2010

(the "Abercrombie Marks") which are registered in are registered in International Classes 14, 18, and 25, and are used in connection with the manufacture and distribution of, among other things, clothing, namely t-shirts, polo shirts, sweat shirts, sweaters, sweat pants, shorts, swimwear, jeans, footwear, scarves, underwear, slippers, coats, jewelry, belts, skirts, caps, and tote bags.

11. The Abercrombie Marks have been used in interstate commerce to identify and distinguish Abercrombie's high quality clothing, namely t-shirts, polo shirts, sweat shirts, sweaters, sweat pants, shorts, swimwear, jeans, footwear, scarves, underwear, slippers, coats, jewelry, belts, skirts, caps, tote bags, and other goods for an extended period of time. The Abercrombie Marks have never been assigned or licensed to any of the Defendants in this matter.